



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – February 24, 2016
Environment Committee

Testimony Submitted by Commissioner Robert J. Klee
Presented By Deputy Commissioner Michael J. Sullivan

House Bill No. 5314 (Raised) – AN ACT CONCERNING THE INCORPORATION BY REFERENCE OF CALIFORNIA'S LOW-EMISSION VEHICLE PROGRAM.

Thank you for the opportunity to present testimony **regarding Raised House Bill No. 5314 - AN ACT CONCERNING THE INCORPORATION BY REFERENCE OF CALIFORNIA'S LOW-EMISSION VEHICLE PROGRAM.** The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

We appreciate the Committee's willingness to introduce this bill at the request of the DEEP. Motor vehicles are the largest source of toxic and smog-forming air pollutants in Connecticut and throughout much of the United States and a large emitter of carbon dioxide, a greenhouse gas contributing to global warming. The efficient regulation of motor vehicle emissions is critical to meeting air quality goals as cost effectively as possible. Since the federal Clean Air Act preempts Connecticut from adopting emission standards that vary from those adopted by the State of California, this proposal makes changes to section 22a-174g of the General Statutes to allow for prospective incorporation by reference of the California light duty vehicle standards into DEEP's implementing regulations.

California updates its Low Emission Vehicle (LEV) Program regulations, on average, each year. To more effectively manage this work load, other states including Delaware and New Jersey, have utilized prospective incorporation by reference to comply with California's frequent LEV Program updates. The ability to adopt regulations through prospective incorporation by reference provides regulatory certainty to automobile manufacturers and assures Connecticut complies with the federal Clean Air Act provisions that demand 'identity' with California LEV standards. Incorporation by reference would reduce the burden on DEEP's limited agency resources. Incorporation by reference would also alleviate pressure on the Legislative Regulations Review Committee to promptly and repeatedly update these regulations, in order to maintain compliance with Section 177 of the Federal Clean Air Act.

DEEP strongly supports this preliminary proposal **Raised House Bill No. 5314 - AN ACT CONCERNING THE INCORPORATION BY REFERENCE OF CALIFORNIA'S LOW-EMISSION VEHICLE PROGRAM** and welcomes the opportunity to work with the Committee in the event that refinement is needed.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, DEEP's Director of Governmental Affairs, at 860.424.3401 or Robert.LaFrance@ct.gov or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or Elizabeth.McAuliffe@ct.gov.